

**CALFRESH REQUEST FOR POLICY INTERPRETATION****PI# 18-08**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

**Please note:** the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input checked="" type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST: 01/10/2018	NEED RESPONSE BY: 01/11/2018
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION: Santa Clara County	
3. PHONE NO.:	EMAIL:	7. SUBJECT: Recertification after Transitional CalFresh Discontinues	
4. REGULATION CITE(S): 63-324.7		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). 63-324.7	
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY): Review Month 9/17. Per San Diego County Hand Book 63-324.7 Applications submitted after the end of the Transitional CalFresh period shall be treated as a new CalFresh application. The worker will prorate CalFresh benefits from the date the application is received.  Transitional CalFresh ended 8/31/17. Should CalFresh benefits be prorated since recertification/application was received 9/6/17? 8/17 income was used by EW for 9/17 Recertification/Application 9/6/17 issued full month. QC used 9/17 income for Compl. Should QC use 8/17 income for Recertification/Application in 9/17 Compl?			
10. REQUESTOR'S PROPOSED ANSWER: Prorate as of 9/6/17 recertification application Date with 9/17 income for Compl. Prorate as of 9/6/17 recertification application Date with 8/17 income for Compl.			

## 11. STATE POLICY RESPONSE (CFPB USE ONLY):

ACL 11-70 provides clarification that anytime a HH files an application during the Transitional CalFresh period, the application submitted is an application for recertification. 7 CFR 273.14(e)(2) states that a HH has 30 days after the end of the certification period to complete the process and have its application be treated as an application for recertification.

The agency shall provide benefits retroactive to 9/6/17, because that's the date, the household took the required action to comply with the recertification process.

Per ACL 12-25, Income is reasonably anticipated when the recipient and CWD determines it is reasonably certain that the recipient will receive a specified amount of monthly income in the semi-annual payment period. (Next page)

**FOR CDSS USE**

DATE RECEIVED: 1/10/18	DATE RESPONDED TO COUNTY/ALJ:
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**CALFRESH REQUEST FOR POLICY INTERPRETATION (Continued)****PI#18-08**

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST:	NEED RESPONSE BY:
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION:	
3. PHONE NO.:      EMAIL:		7. SUBJECT:	
4. REGULATION CITE(S):		8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	

CFR 273.10(c)Determining income—(1) Anticipating income. (i) For the purpose of determining the household's eligibility and level of benefits, the State agency shall take into account the income already received by the household during the certification period and any anticipated income the household and the State agency are reasonably certain will be received during the remainder of the certification period.

QC is required to examine the EW's action by reviewing the case record and any verification supplied to certify the HH. If QC finds no discrepancies between the information reported on the application, during the interview and the verification provided to the EW, it would be correct for QC to use the August income in Comparison II.

Comparison I is based on income received in the sample month and the benefit allotment would be prorated effective 9/6/17.